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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Loo Tze Ming, an Individual,

Case No. 2:22-cv-02042-SPL

Plaintiff,

**PLAINTIFF MOTION TO
CONTINUE STAY**

vs.
Fitness Anywhere LLC, a Delaware
LLC,

Defendant.

Plaintiff hereby submits this Motion to Continue Stay pursuant to this Court's
order of March 8, 2023 (Dkt. No. 12), and states as follows:

FACTS

On March 8, 2023, this Court ordered that this action would be dismissed on June
5, 2023 unless "a motion to continue the stay is filed or the Court is advised that the
bankruptcy stay has been lifted and counsel are ready to proceed with this case." (Dkt.
No. 12) Counsel for Plaintiff has checked the status of the bankruptcy stay in the case
that is the subject of the previously-filed Notice of Bankruptcy (United States

1 Bankruptcy Court for the Central District of California, Case No. 8:22-bk-10949-SC
2 (Dkt. No. 11). According to the record in that case, the bankruptcy stay in that matter
3 has not been lifted as of today, June 2, 2023. Defendant has still not entered an
4 appearance in this Action or otherwise plead responsively.

5 **ARGUMENT**

6 In light of the fact that the bankruptcy stay has not yet been lifted in the
7 California bankruptcy case, Plaintiff respectfully requests that the stay be extended for
8 an additional 3 months. Section 11 U.S. Code § 362 of the Bankruptcy Code imposes a
9 broad automatic stay of a wide range of actions against a debtor in bankruptcy. As noted
10 previously in its response to this Court's earlier Order to Show Cause, Plaintiff requests,
11 out of an abundance of caution as it relates to the California bankruptcy proceeding and
12 a desire not to violate any stay that might be in place, that this Arizona case be stayed
13 pending the lifting of any automatic stay in the Bankruptcy. Whereupon, Plaintiff shall
14 promptly proceed with its request for entry of default and motion for default judgment
15 ordering transfer of the disputed domain name to the Plaintiff, along with other relief
16 available under 15 USC 1114(2)(d)(iv)-(v).

17 DATED this 2nd day of June, 2023.

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19 SCHMEISER, OLSEN & WATTS LLP

20 By:
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/s/Jeffrey W. Johnson

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